

App. F. IX-4

Previous References

G.M. 22-78-1-9.
Mg 20-23-7-75

Later References

309-19-11-5
Mg 142-31-7-5

1932.

(Muzrai)

File No. 214-3

Serial Nos. 1

General and Revenue Secretariat.

Serial Nos.

4.

Part B for

December 33.

SUBJECT.

Re Non recovery of Cntri
for the Wus an Gumbazet Seringap
from Mutwalli the Estate of Late Prince
Gulam Maho

To The Muz Comr

814.

No 883 of 28-12-32

Forwards a copy of the draft of a letter
to be addressed to Mutwalli the
estate

No. C 647 / 32-33
Enc one + one file

OFFICE OF THE MUZRAI COMMISSIONER IN MYSORE,

Bangalore, 5/2/20

193 -

May 214-32-1

FROM

S HIRIANNAIYA, Esq, M.A, B L.,

Muzrai Commissioner in Mysore.

Bangalore.

To $\frac{.889}{17.2}$ 33

.. Sh. one, Dec 1912 .. B...

Secretary to the Government of His Highness

the Maharaja of Mysore,

Department

SIR,

H
 Advorting to your letter No. 205/Pl.141- 1-7 1932
 January 1932, re the non-recovery of the cons
 late Prince Gulzar Mahomed from the
 towards the annual celebration of the Urs of
 Sultan and Nawab Yaqub Ali Khan, I have to
 here with a copy of Deputy Commissioner's
 dated the 13th October 1932

2. The Guizot Committee of the Department of the Interior, French Reels, report that a copy of the report was obtained and forwarded and the Department of the Interior, local administration could be taken care of.

Chin'amaige

v22

Letter H.I.584/32 dated 12th December 1932 from the Commissioner, Mysore District to the District Commissioner in Mysore.

Contribution of Rs.500/- from Calcutta for the Urs at Gulbuz - recovery of.

With reference to your Memo No.R.Dis.66 of 30-32 dated 9th December 1932 regarding the stoppage of the contribution of Rs.500/- by Mr. Gulam Mussein Shah of Calcutta for the two Urs held annually at the Gulbuz, I have the honor to state that as resolved by the Gulbuz Committee, the Division Officer, French Rocks, reports that a copy of the Wakf-ul-Hamah will be obtained through the British Resident, and the same examined.

2. As the British Resident in his letter dated 17th August 1932 addressed to the Financial Secretary to Government has already stated that Mr. Gulam Mussein Shah desires to evade the obligation undertaken in pursuance of the Wakf-ul-Hamah, it seems to me that no useful purpose will be served by addressing the British Resident again in the matter. I think that the only course that may be adopted is to take legal action, I doubt if it is worth while doing so. The Government Advocate may perhaps be consulted in the matter. I request the favour of your instructions in the matter.

4702 p 832

File No.

of 193 .

General and Revenue
Secretariat

Legal action can be taken.

For Secy)

23/2/33

23/2/33

1/3/33

Protection Branch)

Law Section
in the Complaint

1/3/33

4/3/33

The Mag. Br. may be requested to obtain
and put up a copy of the wakf nama
for reference

6 A copy of the wakf nama
may be got

4/3/33

Member)

7 Subd for orders

6/3/33

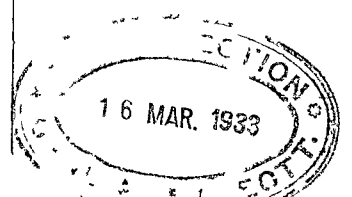
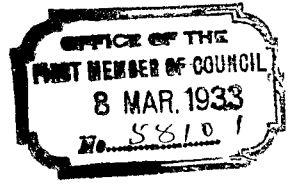
For Secy)

(9/3/33)

9 March 1933

10 March 1933

12 March 1933



1114/33
Wakfnama of the Prince Ghulam Mahomed

General and Revenue
Secretariat

File No.

of 193

[App. F. III-2]

Serial
No.

with
21/3/33

To. The Secy. to Resident. Pol. 894 of 20/1/33.
Rates for a copy of the Wakfnama.

In No. 756
From the Secy. to
Forwards a copy to W. L.
said to be the original
original Wakfnama & X.
late Prince of

13/ This may now be sent to the Law
Section for with reference to para 6 supra
4/10
Law Sec-)

4/10/33

15) The references relating to the offer
of Mr Ghulam Harsain Shah in 1919 & the
acceptance of ~~that~~ it by Govt, by virtue
of it the gentleman paid Rs 126 Rs 00/-
per year, may be put up. It is to be
ascertained whether the claim arises out
of the terms of the wakfnama itself or
out of the offer & acceptance refd to above.

Mur (Dr)

10/10/33

File No. _____ of 193 .

of 193 .

16.

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K.

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103/104

15710733

20 There is no doubt a good cause of action for a suit being filed on behalf of the charity, in this case the

Serial
No.

Gumbaz. But it is not clear whether this is under Govt management under Reg VII of 1927 when only Govt can file the suit.

21) The suit however has to be instituted in the courts at Calcutta and the desirability of taking this course is a matter for decision in the Privy Sect.

22) Forwarded with compliments to
the Gov. Advocate for favor of advice

Arpuro
17/10/33

23) Returned with compliments.

24) The Wakfnama seems to be a valid document and has been acted upon for many years. The Ghorbani brothers are, therefore, entitled to get Rs.500/- every year from the Mutavalli of the Trust Property according to the terms of the Deed. A suit against him would, therefore, be maintainable in the Calcutta Courts. I however think a letter may be written to the Mutavalli requesting him to send the contributions according to the Wakfnama mentioning also that legal proceedings would be taken against him if the request is not complied with immediately. Such a threat may have some effect.

MacKinnon?
Govt mem# 1000, 1000
Feb 3rd Oct 1955.

H.

Mur Br)

my
11/15

NOTE—Contn. Sheet

General and Revenue
Secretariat

This file may perhaps be sent ^{urgently} to the
Muzrai Commission in ell for necessary
action and return ~~urgently~~.)

10/1/72

9/11

710 (H. Lang)

11/11/83

2nd Member)

131103

$$\frac{2}{13}11$$

17 1/2

14/11

14/11

v

Forwarded with Compliments, unofficially
to the Municipal Commissioner in Ellyson
for necessary actions and return.

By order

15/11/33.

Bo M. M. M. M. M.

Per Financial Secretary

647/32-33.



0647
 32-33
 17 NOV 1943

Muzrai Commissioner's Remarks.

28 The Government Advocate may be requested to prepare the draft of a letter on the lines suggested in his Unofficial Note of 31st October 1933.

30 On receipt of the same, the Deputy Commissioner

nu
18/11/33.

16

25/4

Serial
No.

will be asked to send it by registered post to the Mutha-
valli now managing the estates of the late Prince Gulam
Mahomed, ~~M. M. A.~~

Returned with compliments.

Климакш

Muzrai Commissioner.

238

31/

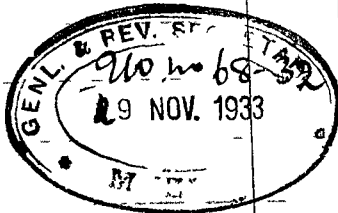
31)
Forwarded, in the compliments, to the
first Advocate for his ^{preparing} forwarding the draft
of a letter to be addressed to the Mutavalli on
the lines suggested by him in para 20 supra.
Per order

By order

B. M. M. M. M. M.

In Financial Sec - Spk

29/11/33



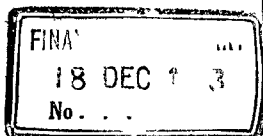
May 4 68 / 33-84
x2 30.11.53

32/

21 6 007 83 / 33-34
27 18.12.33

Returned with compliments.

33¹ A draft of the letter to be addressed to the
Mutwalli is herewith enclosed.



RC.SN.

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Government Advocate.

Ans 18.12.33

34) A drop to the M.C is perhaps.

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WD 70-GBPM-60,000-13 8 51

11/8
File No.

of 193 .

General and Revenue
Secretariat

883 dated 28.12.1933
The H.C in Mysore

4

Forwards to him, as desired, the draft
of letter prepared by the Govt Advocate
to be addressed to the Muntaballi
of the Estate at Tolly-Ganga
Calcutta.

B
11/1/34

SUBJECT

12

Section

Muz

File No.

214-32

Serial No.

2

Diary No. of letter replied to

No.

Pol. 894

To

The Secy. to the Hon'ble
the Resident.

General and Revenue Secretariat

()

the 193 .

Sir

Date of issue 20/2/33

with reference to Correspondence

Signed by Mr B. S.

ending with your letter no. 5448/31-32

dated the 17th Aug. 1932 in the matter

of the Contribution of Mr Egholam

Hosain Shah of Rs 500/- per annum

for fatcha alms giving etc. on the

occasion of the Urs of Tipu

Sultan and Nawab Hyder Ali Khan
that if there is no objection

List of enclosures

I am directed to request you ^{may} be
arrange to obtain ^{for} ~~the~~ ^{the} ~~the~~
no good as to forward a copy of the

Copied by

Wazir nama of the late Prince

Egholam - Mahomed ~~for reference~~

Examined by

I have etc.

21/2/33

il. Secy to Govt

2

16th March

S. SHAMANNA Esq., B.A.,

.Financial

With reference to correspondence ending with your letter No.5448/31-32 dated the 17th August 1932 in the matter of the contribution of Mr.Gulam Hussein Shah of Rs.500/- per annum for fatiha alms giving etc, on the occasion of the Urs of Tippu Sultan and Nawab Hyder Ali Khan, I am directed to request that if there is no objection you may be so good as to arrange to obtain and forward for reference a copy of the Wakf Namah of the late Prince Gulam Mahomed.

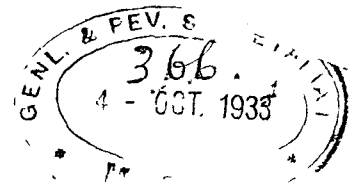
I have the honor to be,
Sir,
Your most obedient servant,

B.K.M.2.

Mr.
Financial Secretary to Government.

All Communications should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

No. *9568 Enclae*
31-1932



FROM

Major G. Kirkbride, I.A.,

Msg 27 214-32 3

SECRETARY TO THE HON'BLE THE RESIDENT IN MYSORE.

8
3/10/33 To

The Financial Secretary to the Government of

His Highness the Maharaja of Mysore, Bangalore.

Dated, Bangalore, the *2nd* *October* ~~Sept.~~ 1933.

Subject.

Contribution of Mr. Gholam Hossain Shah of Rs.500/- per annum for fatiha alms giving etc., on the occasion of the urus of Tipoo Sultan and Nawab Hyder Ali Khan.

SIR,

With reference to your letter No.Pol.894/Muz.214-32-2, dated the 16th March 1933, I am directed to forward a copy of the wakfnama said to be the English translation of the original wakfnama executed by the late Prince Gholam Muhammad, K.C.S.I..

I have the honour to be,

Sir,

Your most obedient servant,

M. A. Amann

for SECRETARY TO THE RESIDENT.

e

His Highness

The Late Prince Gholam Mahammad's Wakfnamah.

16

Translation.

[I, Shahzada (Prince) Gholam Mahammad, son of Tippoo Sultan (whose abode is in Paradise and may his grave be illumined by Divine light) of Tehdi Bagan, Shahpore, Tollygunge in the Zillah of the 24 Perganas, do in a sound state of body and in the possession of my faculties and in a position to perform and execute all and every legal acts voluntarily and with pleasure without compulsion and disgust make this binding eqrar (agreement or contract or covenant) and lawful declaration to the following effect :-]

Whatever effects and lands having to pay revenue and rent free and composed of homestead land and gardens, houses and edifices and brick built structures, one storied, two storied three storied and so on, tanks ponds and rayatee lands etc., as described hereinafter situate respectively in Rassa, Chandpore, Bara Bagh and Cutchery Bagh which are in Tollygunge, Purganah Khaspore appertaining to the Zillah of 24 Perganas and in Chowringhee, Dhurruamtolla and other places in the town of Calcutta, I have whether standing in my name or Benami, have been acquired and purchased by the individual exertions of me, the executant and (for) I receive noting whatever as ancestral or paternal property, most of the said landed properties are let (as houses) to tenants under Ijardars and under thika to thikadars and small portion is and has been in the direct possession of me the executant. No other person having any share or interest therein and there existing no bar to the creation of a valid wakf and I hold the same in my hands and possession as owner with right of-disposal and from the income thereof there have, in a certain manner, been perfect without interruption the distribution of cloth and broad cloth and also of cash moneys etc. in the winter and also the charitable distribution in the month of Ramzanul-Mobarak and the Ids and the payment of the expenses connected with the Masjid situated at Dhurruamtolla in the town of Calcutta and at Tollygunge in the Zillah of the

24-Perganas and of the various disbursements made in the form of Hohurrum-al-haram connected with the Imamarah situated in Tollymore aforesaid and the performance of other charitable acts described more fully hereunder the same shall in like manner after the death of me the executant, continue to keep up and maintain in perpetuity and continue in never ending operation and in order that the said of encroachment and misappropriation on the part of any of my heirs should not be extended in respect of the corpus of any above mentioned effects and lands etc. (which cannot be sold or purchased, given away, mortgaged or otherwise alienated) and in order that on no account whatsoever any sort of shortcomings, obstruction, perversion or injury should take place in the carrying out of the above mentioned charitable performances and that at no time or times all the said estate or any part thereof or the moneys yielded therefrom should on any ground whatsoever be attached by the Imperial Government or by the Authorities or by Ijardars, (moreover this has for some time past been my particular intention and fixed resolution but up to the present time, I have for various causes been unable to carry the same into effect) and as now my age has reached its present advanced stage when according to the decree of the Koran, "every mortal must taste of death" and being in view I make Wakf of all the said effects and houses etc. as mentioned above (and full details thereof at the end of the holdings and other numbers are separately recorded) as a Wakf which is valid and according to the Islamic law and precedent and according to the intention of me and is no secular property. I have taken out the properties of the said Wakf from my ownership and divested the same of all my claims and demands for and all claims of ownership of the said effects, estates, houses and which will be due to the Wakf in question and to my heirs and to my family line and my heirs and the heirs of my heirs and me, the endower, generation after generation.

18
 to render service as Muttawallee and to receive the fixed monthly money allowances and shares in the surplus moneys of the accumulation provided for in the second para hereof have not and will not possess in the slightest degree powers of any sort as to (treating the same as) claimable or as property left at death or inheritance or as being a subject of ownership or proprietary control in respect of the effects, estates, houses and masonry structures and etc. appertaining to the Wakf in question whether to the whole or to a part thereof and the number of Muttawallees and their names indicating the nature of their powers and the description of and regulations for the disbursement and expenditure of the money income of property of the Wakf in works connected with the Charitable effected hereby and the extent of the monthly money allowances of the Muttawallee and other charges and the appointment of Trustees and as to the Tahvil (cash till etc.) of the Wakf remaining under his control and other particulars calculated to secure the better protecting the interest of the Wakf together with other directions I proceed to write fully hereunder in separate paragraphs.

Para first is as follows:-

That for the present I am to be individually and myself shall remain till my life the Muttawallee of this Wakf property in question provided I retain (the use of) my faculties unimpaired. After the death or the loss of faculties of me, the Endower and Muttawallee the following four persons viz) first my youngest son Shahzada Ahmed Haleemoozaman second my daughter Shahzadee Kurreemoonessa Begum, third my daughter Shahzadee Undah Begum fourth Sahebzadah Mahammad Furrukh Shah, son of Shahzadah Ahmed Halimoozaman, being in all four persons will be the Mustaqel (substantive) Muttawallees of the wakf estate and after their death one after another their male descendants (provided they shall be possessed of good habits) will generation after generation be Mustaqel Muttawallees. In the event of the occurrence of any kind of embezzlement or misappropriation or any description of breach

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of trust or waste of any sort on the part of any one of the Muttawallees he shall be removed from the post of Muttawallee nevertheless after the death or during the life time of the discharged Muttawallee the appointment to the office of Muttawallee of his male descendants they be of age and possessed of intelligence and good understanding shall not be barred, notwithstanding all that is stated above, the male descendants who may be of age and capable are (nevertheless) to be subject to the rule any person who shall not be fit for the office of the Muttawallee that for such reason not be appointed a Muttawallee. If at any ~~time~~ ^{one after another depart this life and none of the descendants or any one of them survives or if there be any and he should not possess the qualifications necessary for a Muttawallee} time in the future it should so happen that the Muttawallees in that event any member of the Mysore family who shall be fit and competent and ornamented with and possessed of goodness, virtue and piety, fidelity and honesty he shall become the Muttawallee of the Wakf estate. Failing this any stranger who shall be ^{respectable and possess of the qualifications necessary for the office required} and be possessed of every good quality he shall be appointed. But so long as even one of the Mustaqel Muttawallees shall be in possession of the office of Muttawallees it should not be competent to appoint to the Muttawalleship any outsider and with the exception of the Mustaqel Muttawallee in other words my heirs and the heirs of my heirs all other Muttawallees will come under the category of outsider even though they should be members of Mysore family and in event of the death of any one of the Muttawallees who I have appointed taking place in the life time of me the Endower, his descendants and heirs shall not be excluded from the Office of Muttawallee from the monthly allowance etc. as laid down and mentioned in the second para.

Para Second is as follows:-

The income of the whole of Wakf estate monthly or whatever the same may amount to herein be collected by me (till, viz the keeping of the collection) shall be at my disposal or for such time as I, the endower and Muttawallee shall see fit use of my faculties remain unimpaired and I shall be responsible to the endower and Muttawallee and after satisfying the collection of revenue and house tax the expenses for the collection of the Wakf shall according to established custom be paid and provided for out of the said amount. The Muttawallee individually so long as I shall be living and be in the possession of my faculties. But on the appearance of any disturbance the equilibrium of my mind faculties or judgment (the finding and mining whereof

shall rest only with me the Undover and I will be pleased to
shall make over to the Trustee the Takwil of the income
of the Wakf estate aforesaid and thence forward the whole
of the whole of the income of the Wakf shall be under
the control of the Trustee and from the aggregate of
shall be made) disbursement for purposes connected with
the Wakf viz. the customary distribution of cloth and bread
winter consisting of cloth and bread cloth and bread
at an expenditure of four thousands (Rs. 4000/-) and
and on the anniversary of the birth of the Prophet (may
the mercy of God be on him) the sum of three hundred
rupees (Rs. 300/-) and the sum of rupees one hundred and
ten (Rs. 110/-) monthly for necessary expenses of the
Musjids, one of them situated in Dhurmatollah in the town
of Calcutta and the other situate in Mouzah Hallypore
appertaining to the twenty four Parganahs for the daily
lighting, for the salary of Hefes (Quran readers), criers
criers) and gardeners and other expenses connected therewith
with and the sum of Rupees one thousand (Rs. 1000/-) for
the ten days expenses of Mohurram-ul-Hosna for illumination
and for the assembly held on the first day of the
providing of repasts and the expenses of the festival of
the Farbala at Holla-hant in Hallypore and for the
expenses and the sum of Rupees five hundred (Rs. 500/-)
expenses to be incurred in the preparation of the
the preparation of the festival of the festival of the
for the performing of the festival of the festival of the
through) and the sum of Rupees two hundred (Rs. 200/-)
the Festival of the festival of the festival of the festival
Rupees five hundred (Rs. 500/-) for the festival of the
illumination and sweetmeats for the festival of the
Prince third Mahomedan festival of the festival of the
Chinsurah and the sum of Rupees one hundred (Rs. 100/-)
Commissioner of the festival of the festival of the festival

(Rs.500/-) for the annual Fataha and for alms giving
lighting and for providing for the want of travellers
and of the needy during the time of the performance of
the urs, of my respected father Tippoo Sultan (whose
abode is in Paradise) ^{and} ~~and~~ of my revered grand father
Nawab Hyder Ally Khan Bahadur deceased] and the sum of
Rupees one thousand (Rs.1000/-) shall be applied in
distributing alms on the occasion of the annual Fataha
of the Begums and of Shahzadah Mohammed Feroze Shah and
other deceased relations of mine and amongst my
Muttawallees my youngest son Prince Ahmed Halimoozaman
shall for life receive Rupees eight hundred (Rs.800/-)
per month and my grandson named Sahebzadah Mahammad
Furrukh Shah (who is son of the aforesaid Prince Ahmad
Halimoozaman) Rupees four hundred (Rs.400/-) and my
daughters Shahzadi Kurreemunnessa Begum and the Shahzadi
Omdah Begum Rupees four hundred (Rs.400/-) per month
to each of them in the way of monthly salary as Muttawalle
and there shall be paid to Sahebzadah Mahammad
Nusseeruddin Hyder (my daughter's son) Rupees two hundred
and fifty (Rs. 250/-) per month and to each of my six
grand daughters (daughter's daughter) named (1) Fakhri-J
Jahan Begum (2) Zukea Begum (3) Sekunder Begum (4) Masum
Jahan Begum (5) Fukhrunnessa Begum and (6) Fuzlunnessa
Begum Rupees fifty (Rs.50) per month and to my two wives
who live in seclusion in my Mahal (Harar) namely
(1) Mussamat Intiazunnessa Begum (2) Mahatallah Bibee at
the rate of Rupees one hundred and fifty (Rs.150/-) each
for life respectively in the way of maintenance allowance
and the Trustee in the way of commission monthly per cent
hundred shall receive any surplus remaining. After all
these disbursements from the income of the Wakf shall be

what is in the Tahvil of the Trust money in the hands of the Trustee thereof the expenses shall be delivered of repairing the Mosque, Imambarah, houses and buildings and of keeping in order and maintaining in becoming manner and like the properties of the endowment and also repairing both the two houses used as dwelling houses by myself the endower which are not included in the Wakf and which as a token of remembrance and for the reservation of the name of me the executant I make gift (of Haba) to my youngest son Prince Ahmad Jalimoozaman with this condition imposed that the Hussamat Azizunnessa and Najmoonnessa Bibee the two wives of my eldest son the deceased Prince Mahammed Eroze Shah for life (and) so long as they shall be living, be allowed to dwell within the Mahal in their own apartments without interference on the part of any person and none of my Muttawallee will be in a position to allow any act of oppression or ill treatment to be exercised towards them, and according to requirements that and so much as may be necessary shall be treated in conformity with the provisions of para three, and hereupon any surplus that may remain shall every year on the fifteenth (15th) of the month of January that is the whole of the money which may have accumulated and being in the Tahvil of the Wakf should be divided into two shares and that one moiety thereof should remain in the Tahvil of the Wakf as amount under the control of the Trustee and the other moiety shall be divided into four shares and two of such shares shall go to my daughters named Shahzadee Kurreemunnessa Begum and Shahzadee Omdah Begum the female Muttawallee and two shares to my youngest son Shahzadah Ahmad Jalimoozaman and after the death of the Shahzadah Ahmad Jalimoozaman

as to the eight hundred rupees of his monthly allowance my grandson
Sahebzada Mohammed Furrukh Shah son of the said Ahmad Hali Moazzam
shall receive monthly out of his father's allowance the sum of Rupees
four hundred (Rs. 400/-) and the remaining (400) four hundred will remain
in the Tahvil of the Wakf as amount and this accumulated fund will not
under any circumstances lapse to the Tahvil of the Wakf but every one
of the heirs of them shall generation after generation get his share
on division according to the Book of God. In the event of any heir
dying before his ancestor none of the heirs of the deceased person
shall be excluded from and deprived of the right to receive the share
of the monthly allowance to the share of the surplus accumulations
aforementioned nevertheless they shall not be at liberty to treat
this monthly allowance money and surplus money paid aforesaid as
coming to that extent under their ownership and proprietary right as
to be the subject of sale or gift or mortgage or liable to be attached
or sold in execution of the decree of any decree holder, on the
contrary the same have been settled on them solely for their maintenance
and support and the maintenance allowance of my two aforesaid wives
and that of the grand daughters which have been fixed for life on
them shall on their death notwithstanding the existence of their heirs
lapse to the Tahvil of the Wakf and their heirs shall not stand on the
the same footing as the heirs of my Mustaqad Muttawallees nor shall
they become entitled to inherit the maintenance allowances in
question or to treat the same as inheritable (property). If any
outsider be appointed as Muttawallee under the provision of para
first of this document he shall, as long as he shall remain in
office and act as such Muttawallee, receive an allowance of Rupees
one hundred and fifty per month from the Tahvil of the Wakf which
shall be in charge to the Trustee moreover this Dandabast and the
writing of this written Wasiat have been effected with the consent
of my heirs.

para third as follows:-

The rents of all the houses and buildings and rent from lands tanks and tenanted lands forming part of the Wakf Mahal situated in Mouzahs Pussa Chandpore and other places appertaining to the Zillah of 24 pergunahs having been collected by the Muttawallees of the male sex(i.e): by my sons and grandsons (sons, son) and after their death by their male descendants and in the event of any breach of trust taking place (then by the descendants of the female Muttawallees and the rent monies of all the houses situated in the town of Calcutta having been collected by the Trustee, the whole thereof (rent moneys) shall be deposited in full with the Trustee and from the said accumulation they shall as specified and laid down in para second receive the amount of monthly expenses month by month and the annual and ~~xxx~~ year by year from the office of the Trustee. That is at the respective periods either in persons or by agents on their receipt under the seals and they shall pay themselves monthly their own respective allowances and pay to the pensioners the amount of their pensions and the salaries of Hafezes, Mouzzuns and other persons receiving salaries shall be paid (by them) monthly to each of them according to the details specified hereunder moreover out of the sum of Rupees four thousands (Rs.4000/-) intended for winter charities the sum of Rupees cash shall be set apart for distribution in money and with the remainder they shall purchase cotton cloth and broad cloth pieces and according as has hitherto been done they shall on the alms giving day make a distribution amongst the needy and the destitutes according to the scales which has been observed in making the distribution in the life time of me the declarant. In the same manner the other disbursements (such as for the Ramzanul-Mobarak, Muharrum and other occasions according to the sum of money prescribed in para second) shall be made and regulated and the performances and celebration respectively in the established manner of all acts and works (especially at the time of cold weather distribution of alms) ~~xxx~~ shall take place in the presence of the relations of the family and the Hafezes and Muazzuns of both the said Mosques and other servants and according to the provisions of this para there lies with them individually the right to watch and observe in the fullest degree. They shall not hold back or retain as overplus or remnant any thing whatever from the alms money or from what is intended to be applied to charitable purposes as aforesaid whether the same be in the shape of money or article and they shall bring to.

year on their arrangement such an extent of circumspection and cash
 so that no person should find any opportunity to commit any embezzle-
 ment or defalcation and that those who are entitled shall receive
 their dues; moreover immediately on the completion of the said (acts)
 a list of the moneys expended therein shall be prepared in duplicate
 in the presence and with the privity of the assembled lookers on
 above mentioned and each individual Muttawallee shall affix his
 seal and signature to each of the two copies mentioned above and then
 shall file one of the said copies in the record departments of the
 Wakf which will remain in the custody of the Muttawallees and the
 other copy shall be sent to the Trustee. Further more payments of the
 Government revenue house tax and etc., shall be made under the authori-
 ty of the Trustee. It shall be the duty of the Trustee Saheb to pay
 Government the revenue and taxes specified below on houses and other
 properties of the Wakf at the fixed period (respectively) and to obtain
 receipts for the said payments. If through the fault and negligence
 on the part of the Trustee in the payment of Government Revenue or
 tax any kind of property or effects belonging to it (Wakf) be sold by
 auction in that case the Trustee will be liable in damages and to make
 good (such loss) and also to make good any loss if in the recovery of
 the rent of any house any kind of neglect be committed by him and in
 consequence the tenants abscond or if by his neglect to repair to any
 one of the houses any and whatever extent of loss should result the
 Trustee shall be liable for resultant damages and it shall be the duty
 of the Trustee Saheb to receive monthly and yearly as the case may
 be without delay or loss of time the monthly and yearly income of the
 properties in the hands of the Muttawallees and situate in the Mowans
 appertaining to the Zillah of 24 Perganahs and to take and deposit
 the same in the Tahvil of the Wakf and in case the Muttawallees be
 guilty of carelessness or negligence to apply to their urgent pressure
 and in case of embezzlement and misappropriation on their part to
 deduct and receive the moneys so misappropriated from the monthly
 allowance of the person guilty of such misappropriation and to send

they must bear in mind that after the death of the person guilty of such misappropriation it will not be proper to hold his descendants liable to make good the amount misappropriated. Further when any buildings of the Wakf shall have to be repaired he will cause the estimate to be prepared with the strict scrutiny and with the knowledge and consent of the Muttawallees effect the repairs and if owing to excess of age or from any other cause the Trustee should deem it advantageous to sell any of the houses of the Wakf and purchase another houses instead, he will be at liberty after securing the acquiescence of the above mentioned Muttawallees to effect a sale of such old house and purchasing another house in its stead to make it a part of the Wakf and if it so happen that a house be sold and another house be not purchased in its stead the Trustee shall be liable for (any) damage to be caused thereby. Further after the payment of all disbursements and charges mentioned above it shall be the duty of the Trustee Sahib to prepare a credit and debit account of the same and to deliver it to the said Muttawallees and on the occurrence of breach of trust or misappropriation on the part of the Trustee the aforesaid Muttawallees will be at liberty to appoint in his stead the official Trustee of the Supreme Court and if the Muttawallees should not appoint an outsider to be the Trustee but keep the Tahvil of the Wakf in their own hands as amount in that case even the Karkoons (employers) of the Wakf Mahal or any member of the Moslem community shall bring this matter to the notice of the constituted authorities of the time and the authorities of the time shall according to rule and custom appoint a trustworthy person to be the Trustee.

Para fourth is as follows:-

I, the endower up to the time of writing of this Wakfnamah (deed of endowment), am not indebted to any extent whatsoever to any one. If after death of me the endower either my heirs or any other person bring forward any fabricated "Tamassuck" with the view of invalidating this Wakfnamah (deed of Endowment) the same is not under any circumstances to be deemed admissible (as evidence before the authorities of the time).

Wam
3/8/23

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore, 26th. Dec. 1933.

No.

883

Enclosure
Muz 214-32-4

Enclosure 5

From

The Secretary to the Government of His Highness the Maharaja of Mysore.
Financial ~~Department~~ Department

To

The Muzrai Commissioner in Mysore,

B a n g a l o r e.

Sir,

With reference to your Un-official Note No. 647/32-33 dated the 28th November 1933, regarding the non-recovery of the contribution from the Estate of the late Prince Gholam Mahomed of Rs. 500/- per annum, for Tataha and for Alms ^{giving} ~~king~~ etc., on the occasion of the Urs of Tippoo Sultan and Nawab Hyder Alikhan, I am directed to forward herewith as ^{desired} ~~revised~~ the draft of a letter prepared by the Government Advocate, to be addressed to Mr. Gholam Hussain Sha Mutawalli of the Estate, Tolly - Gange, Calcutta.

I have the honour to be,

S i r,

Your most obedient servant,

[Signature]

[Signature]

Secretary to Government,
Financial Department.

[Signature]

K.M.R.2/26-12.

SUBJECT

.....

.....

Section *Muz*
File No. *214-32*
Serial No. *4*

Diary No. of letter replied to

No. *883 Ence*

To *The Muzrai Commissioner*
Sir,

General and Revenue Secretariat
()
the 193 .

Date of issue... *28/12/33*

Signed by *K. N. Krishnamani*
Kys

With reference to ~~the letter~~
~~sent on 20.10.1932~~ (No 667)
32-33 dated the 2nd Nov 1932 - copy of
the necessary of the
Contributions from the Estate of the
late Prince of Gholam Hussain
of Rs 500 per annum, for fuel,
about giving etc, in the course
of the years of Tiber in the
and Mahon-Hyder B. B. B.
I am directed to issue a draft of
the draft of the letter drawn in
the Govt Adversary, to be added
to the Mr Gholam Hussain Sh
Mudaballi Estate - Taluk -
Ganga, Calcutta.

List of enclosures.....

Copied by *me*

Examined by

ack
me
me